

File No. 190273

Committee Item No. \_\_\_\_\_

Board Item No. 31

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: March 12, 2019

### Cmte Board

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- Introduction Form
- Department/Agency Cover Letter and/or Report
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### OTHER

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Prepared by: Jocelyn Wong

Date: March 8, 2019

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento  
2 Street Project]

3 **Motion adopting findings in support of the Board of Supervisors' disapproval of**  
4 **Planning Commission Motion No. 20336 approving a Conditional Use Authorization**  
5 **identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657**  
6 **Sacramento Street, and the Board's approval of a Conditional Use Authorization for the**  
7 **same Planning Case and property with different conditions; and adopting findings of**  
8 **consistency with the General Plan, and the eight priority policies of Planning Code,**  
9 **Section 101.1.**

10  
11 WHEREAS, On November 8, 2018, the Planning Commission approved a Conditional  
12 Use Authorization identified as Planning Case No. 2007.1347CUA, by its Motion No. 20336,  
13 to allow a modification from the rear yard requirements of Planning Code Sections 134  
14 and 136, as part of a project that would demolish three existing buildings and construct a new  
15 four-story, 40-foot tall, mixed use building containing residential use (approximately 17,100  
16 gross square feet) with 18 dwelling units (consisting of six one-bedroom units, and 12 two-  
17 bedroom units), retail/commercial space (approximately 6,500 gross square feet), medical  
18 offices (approximately 10,000 gross square feet), 64 off-street/underground parking spaces  
19 (including one car share space), and 35 bicycle parking spaces (approximately 38,700 gross  
20 square feet), within the Sacramento Street Neighborhood Commercial District and 40-X  
21 Height and Bulk District, for a proposed project located at: 3637-3657 Sacramento Street,  
22 Assessor's Parcel Block No. 1018, Lot Nos. 012 and 020; and

23 WHEREAS, On December 7, 2018, Brandon Ponce, Jennifer Kopczynski, Alexander  
24 W. Thompson, Marcia E. Herman, Susan Foslien, Jack Kaus, Patrick Richards, John M.  
25 Burns, and Douglas Engmann, on behalf of the California-Locust Neighbors' Association

1 ("Appellants") filed a timely appeal with the Board of Supervisors of the categorical exemption  
2 filed a timely appeal protesting the approval of the Conditional Use Authorization by the  
3 Planning Commission; and

4 WHEREAS, On February 5, 2019 and February 12, 2019, this Board held duly noticed  
5 public hearings to consider the appeal; and

6 WHEREAS, Following the conclusion of the public hearing on February 12, 2019, the  
7 Board voted to conditionally disapprove the decision of the Planning Commission and to  
8 approve the requested Conditional Use Authorization with different conditions, subject to  
9 adoption of written findings by the Board, as reflected in Board of Supervisors Motion  
10 No. 19-025; and

11 WHEREAS, In deciding the appeal, the Board reviewed and considered the entire  
12 written record before the Board and all the presentations and public comments made in  
13 support of and in opposition to the appeal; now, therefore, be it

14 MOVED, That the Board finds that with the conditions imposed by the Board at the  
15 February 12, 2019, hearing, the proposed project is necessary or desirable for, and  
16 compatible with, the neighborhood and the community; and, be it

17 FURTHER MOVED, That the location on the project site of a four-story, 40-foot tall,  
18 mixed use building containing approximately 6,500 gross square feet of retail/commercial use  
19 on the first floor, approximately 10,000 gross square feet of medical offices on the second  
20 floor, and 18 dwelling units (approximately 17,100 gross square feet) on the third and fourth  
21 floors, with two levels of below-grade parking, 21 Class 1 bicycle parking spaces and 14  
22 Class 2 bicycle parking spaces, and a dwelling unit mix consisting of 12 two-bedroom units,  
23 and 6 one-bedroom units will provide the surrounding neighborhood with notable benefits,  
24 protecting the existing character of the neighborhood and the operation of other local medical  
25

1 offices and other businesses while complementing those businesses and providing new  
2 housing in the neighborhood; and, be it

3 FURTHER MOVED, That the conditions imposed by the Board of Supervisors in  
4 Motion No. 19-025 will prevent adverse impacts of the authorized activities at the site by  
5 incorporating design modifications to bring the Project more in keeping with the neighborhood;  
6 restricting medical space on the second floor to complement neighborhood medical practices;  
7 assessing neighboring structures before, during and after construction for potential changes in  
8 structural conditions; preparing and submitting vibration, noise reduction and dust control  
9 plans; hiring a qualified arborist to address issues with trees on neighboring properties as a  
10 result of construction activities; providing free parking during specified hours for patrons or  
11 clients of businesses on the 3600 block of Sacramento and providing construction workers  
12 parking offsite; staging construction equipment usage and parking and limiting construction  
13 hours; providing a community liaison to help promptly address community issues that arise  
14 during the entirety of the construction period; providing temporary office space to the  
15 therapists who regularly see patients on the 3600 Block of Sacramento Street during the  
16 demolition and excavation phases of the Project; and working with one neighboring business  
17 that will be particularly impacted by the construction to address any potential impacts; and, be  
18 it

19 FURTHER MOVED, That these conditions are consistent with and supported by the  
20 Planning Commission's findings of consistency with the General Plan and Planning Code  
21 Section 101.1, and the Board hereby incorporates these findings and adopts them as its own.  
22  
23  
24  
25

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Clerk of the Board

Subject:

Adoption of Findings Related to Conditional Use Authorization - 3637-3657 Sacramento Street Project

The text is listed:

Motion adopting findings in support of the Board of Supervisors' disapproval of Planning Commission Motion No. 20336 approving a Conditional Use Authorization identified as Planning Case No. 2007.1347CUA for a proposed project at 3637-3657 Sacramento Street, and the Board's approval of a Conditional Use Authorization for the same Planning Case and property with different conditions; and adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Signature of Sponsoring Supervisor: *[Handwritten Signature]*

For Clerk's Use Only

File No. 190273

